



NEWS

Federal Communications Commission
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 516 F.2d 385 (D.C. Cir. 1974).

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FCC TAKES ACTION TO PROTECT WIRELESS SUBSCRIBERS FROM SPAM *Prohibits Sending Commercial Messages Referencing Specified Domain Names*

Washington, DC -- The Commission has taken action to protect consumers from receiving unsolicited commercial messages on their wireless phones and pagers. The action implements the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CAN-SPAM Act or Act).

The Commission adopted a general prohibition on sending commercial messages to any address referencing an Internet domain associated with wireless subscriber messaging services. To assist the senders of such messages in identifying those subscribers, the Commission required that commercial mobile radio service (CMRS) providers submit those domain names to the Commission for inclusion in a list that will be made publicly available. No individual subscriber addresses will be collected or included on this list. It also clarified the delineation between these new rules implementing the CAN-SPAM Act, and the existing rules concerning messages sent to wireless telephone numbers under the Telephone Consumer Protection Act (TCPA).

Specifically, the Commission has taken the following actions:

- o Interpreted the scope of material covered under the definition of mobile service commercial messages (MSCMs) in the CAN-SPAM Act to include any commercial message sent to an electronic mail address provided by a CMRS provider specifically for delivery to the subscriber's wireless device. The Commission found that Short Message Service messages transmitted solely to phone numbers (as opposed to those sent to addresses with references to Internet domains) are not covered by these protections, but all autodialed calls are already covered by the TCPA.
- o Provided guidance on what falls within the definition of "commercial", while emphasizing that the Federal Trade Commission is ultimately responsible for determining the criteria for "commercial" and what are excluded as "transactional or relationship" messages.

- o Prohibited the sending of MSCMs unless the individual addressee has given the sender express prior authorization. This authorization may be given orally, in paper or electronically.
- o Stated it will create a publicly available FCC wireless domain names list containing the domain names used for mobile service messaging. This will enable senders of commercial mail to determine which addresses, containing those domain names, are directed at mobile services.
- o Required all CMRS providers to supply the Commission with names of all the Internet domains on which they offer mobile service messaging service. The rule prohibits sending any commercial messages to addresses that contain domain names that have been listed on the official list for at least 30 days or at any time prior to 30 days if the sender otherwise knows that the message is addressed to a wireless device.

The Commission found that the establishment of a list of domain names appeared to be the most effective method to allow subscribers to avoid unwanted mobile service commercial messages. The new rules impose minimal burdens on CMRS providers, and provide a variety of ways to obtain authorizations from those mobile subscribers who want to receive messages from specific senders.

The Commission also encouraged industry to develop more mechanisms to protect wireless subscribers from unwanted commercial mail themselves.

Action by the Commission August 4, 2004, by Order (FCC 04-194). Chairman Powell, Commissioners Abernathy, Copps, Martin, and Adelstein. Separate statements issued by Chairman Powell and Commissioner Copps.

- FCC -

CGB contact: Ruth Yodaiken at (202) 418-7928

CG Dockets 04-53, 02-278



FREE MARLIN FREE

WIN A MARLINS TEAM JERSEY

(GO TO SECTION 145 TO ENTER & WIN)

Name: (NBN)
 Address (Line 1): 10316 NW 173 ST
 Address (Line 2):
 City: MIAM
 State: FL
 Zip Code: 33015
 Telephone (Home): (855) [REDACTED]
 Telephone (Mobile): (605) [REDACTED]
 Mobile Network: CINGULAR
 Mobile Text Address:
 Email Address: [REDACTED]@AOL.COM

PLEASE SEND ME TEXT & EMAIL MESSAGES

to play TRIVIA CONTESTS during the game and to win FREE PRIZES!!!

for the latest NEWS and IMPORTANT EVENTS of the Florida Marlins

for the latest DISCOUNTS on Official Florida Marlins merchandise & team equipment!!!

the latest DISCOUNTS on last minute Florida Marlins TICKET SPECIALS to games!!!!

Please don't lose contact with me! If my mobile network address changes,

please send me text & email messages to find me!!!

Signature: Alan Caplan

Date: 6/19/04

YES NO
 YES NO
 YES NO
 YES NO
 YES NO

Privacy Policy: The Florida Marlins reserves the privacy of their firm and will NOT distribute any personal information to anyone. You agree to permit the Florida Marlins to use your name and contact information for the purposes described above.



FREE MARLIN'S FREE

WIN A MARLIN'S TEAM JERSEY

(GO TO SECTION 149 TO ENTER & WIN)

Name: Caron
 Address (Line 1): [REDACTED]
 Address (Line 2): [REDACTED]
 City: Embrey Park FL
 State: FL
 Zip Code: 33027
 Telephone (Home): 954-444-1111
 Telephone (Mobile): 954-444-1111
 Mobile Network: Verizon
 Mobile Text Address: 954-444-1111
 Email Address: caron@verizon.net

Please send me text & email messages:

to play **TRIVIA CONTESTS** during the game and to win **FREE PRIZES!!!**

for the latest **NEWS** and **IMPORTANT EVENTS** of the Florida Marlins

for the latest **DISCOUNTS** on Official Florida Marlins merchandise & team equipment!!!

the latest **DISCOUNTS** on last minute Florida Marlins **TICKET SPECIALS** to games!!!

Please don't lose contact with me! If my mobile network address changes,

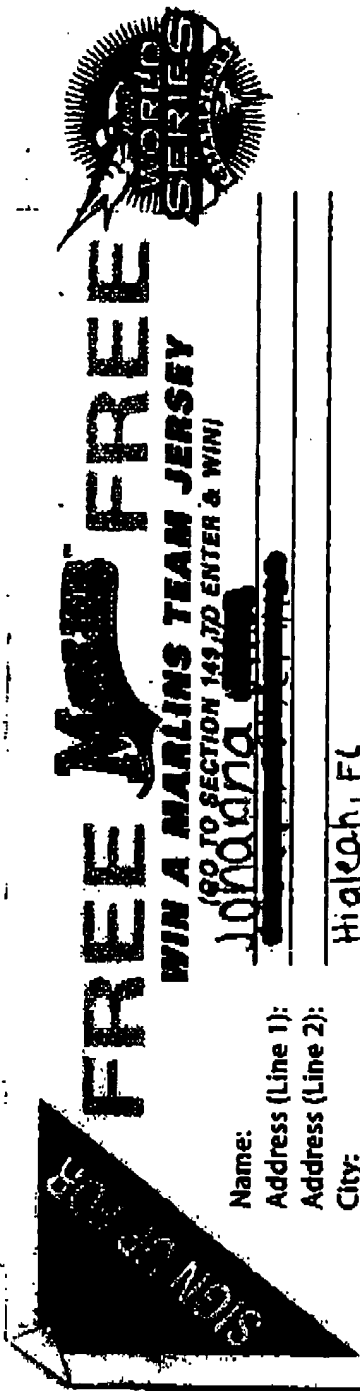
please send me text & email messages to find me!!!

YES ☒ NO ☐
 YES ☒ NO ☐
 YES ☒ NO ☐
 YES ☒ NO ☐
 YES ☒ NO ☐

Signature: Caron

Date: 6-19

Privacy Policy: The Florida Marlins warrant the privacy of their form and will not distribute any personal information ONLY for the purposes described above.



Name: JONADNA
 Address (Line 1): 10000
 Address (Line 2): 10000
 City: Highland, FL
 State: FL
 Zip Code: 33018
 Telephone (Home): (305) 1000000
 Telephone (Mobile): (305) 1000000
 Mobile Network: Sprint
 Mobile Text Address: 10000
 Email Address: 10000

PLEASE SEND ME TEXT & EMAIL MESSAGES TO FIND ME!!!
 to play TRIVIA CONTESTS during the game and to win FREE PRIZES!!!
 for the latest NEWS and IMPORTANT EVENTS of the Florida Marlins
 for the latest DISCOUNTS on Official Florida Marlins merchandise & team equipment!!!
 the latest DISCOUNTS on last minute Florida Marlins TICKET SPECIALS to games!!!
 Please don't lose contact with me! If my mobile network address changes,
 please send me text & email messages to find me!!!

Signature: Jonadna Date: 01/04/05

Privacy Policy: The Florida service understands the privacy of their fans and will not distribute any personal information to anyone. We agree to permit the Florida Marlins to use your above provided information (MCI) for the purposes described above.



FREE MARLIN'S TEAM JERSEY

WIN A MARLIN'S TEAM JERSEY

(GO TO SECTION 149 TO ENTER & WIN)

Name: Melissa
 Address (Line 1): [REDACTED]
 Address (Line 2): [REDACTED]
 City: Pembroke Pines
 State: FL
 Zip Code: 33024
 Telephone (Home): (954) [REDACTED]
 Telephone (Mobile): [REDACTED]
 Mobile Network: motu pcs
 Mobile Text Address: [REDACTED]
 Email Address: [REDACTED]@hotmail.com

to play TRIVIA CONTESTS during the game and to win FREE PRIZES!!!
 for the latest NEWS and IMPORTANT EVENTS of the Florida Marlins
 for the latest DISCOUNTS on Official Florida Marlins merchandise & team equipment!!!
 the latest DISCOUNTS on last minute Florida Marlins TICKET SPECIALS to games!!!
 Please don't lose contact with me! If my mobile network address changes,
 please send me text & email messages to find me!!!

Signature: [Signature] Date: 6/24/04

Privacy Policy: The Florida Marlins maintains the privacy of their fans and will NOT distribute any personal information to anyone. You agree to permit the Florida Marlins to use your name provided information ONLY for the purposes described above.



FREE MARLINS FREE

WIN A MARLINS TEAM JERSEY

(GO TO SECTION 146 TO ENTER A WIN)

Name:

Address (Line 1):

Address (Line 2):

City:

State:

Zip Code:

Telephone (Home):

Telephone (Mobile):

Mobile Network:

Mobile Text Address:

Email Address:

to play TRIVIA CONTESTS during the game and to win FREE PRIZES!!!

for the latest NEWS and IMPORTANT EVENTS of the Florida Marlins

for the latest DISCOUNTS on Official Florida Marlins merchandise & team equipment!!!

the latest DISCOUNTS on last minute Florida Marlins TICKET SPECIALS to games!!!

Please don't lose contact with me! If my mobile network address changes,

please send me text & email messages to find me!!!

Signature:

Date:

(CIRCLE ONE)

YES

NO

YES

NO

YES

NO

YES

NO

Privacy Policy: The Florida Marlins maintains the privacy of their fans and will NOT distribute any personal information to anyone. You agree to provide the personal information that you provide for the purposes described above.



FREE MARLINS TEAM JERSEY

WIN A MARLINS TEAM JERSEY

(GO TO SECTION 149 TO ENTER & WIN)

Name: Wendy

Address (Line 1): [REDACTED]

Address (Line 2): [REDACTED]

City: Miami

State: Fla.

Zip Code: 3315

Telephone (Home): 305- [REDACTED]

Telephone (Mobile): 305- [REDACTED]

Mobile Network: Cingular

Mobile Text Address: [REDACTED]

Email Address: [REDACTED]

PLEASE PRINT NAME, ADDRESS & PHONE NUMBERS

to play TRIVIA CONTESTS during the game and to win FREE PRIZES!!!

for the latest NEWS and IMPORTANT EVENTS of the Florida Marlins

for the latest DISCOUNTS on Official Florida Marlins merchandise & team equipment!!!

the latest DISCOUNTS on last minute Florida Marlins TICKET SPECIALS to games!!!

Please don't lose contact with me! If my mobile network address changes, please send me text & email messages to find me!!!

☒ YES ☐ NO

☒ YES ☐ NO

☒ YES ☐ NO

☒ YES ☐ NO

☒ YES ☐ NO

☒ YES ☐ NO

Signature: [Signature] Date: 6-19-04

Please Note: The Florida Marlins acknowledge the privacy of their fans and will NOT distribute any personal information to anyone. You agree to provide the Florida Marlins to any past above provided information ONLY for the purposes described above.



FREE MARLINS TEAM JERSEY

WIN A MARLINS TEAM JERSEY

(GO TO SECTION 149 TO ENTER & WIN)

Name:

Address (Line 1):

Address (Line 2):

City:

State:

Zip Code:

Telephone (Home):

Telephone (Mobile):

Mobile Network:

Mobile Text Address:

Email Address:

PLEASE PRINT THE FOLLOWING INFORMATION:

to play TRIVIA CONTESTS during the game and to win FREE PRIZES!!!

for the latest NEWS and IMPORTANT EVENTS of the Florida Marlins

for the latest DISCOUNTS on Official Florida Marlins merchandise & team equipment!!!

the latest DISCOUNTS on last minute Florida Marlins TICKET SPECIALS to games!!!

Please don't lose contact with me! If my mobile network address changes,

please send me text & email messages to find me!!!

(CIRCLE ONE)

YES NO

YES NO

YES NO

YES NO

YES NO

YES NO

Signature:

Date: 6/19/04

Privacy Policy: The Florida Marlins will not give out your personal information to anyone. You agree to provide the Florida Marlins with your personal information (NAME) for the purposes described above.



FREE MARLIN'S JERSEY

WIN A MARLIN'S TEAM JERSEY

(GO TO SECTION 149 TO ENTER & WIN)

Name:

Address (Line 1):

Address (Line 2):

City:

State:

Zip Code:

Telephone (Home):

Telephone (Mobile):

Mobile Network:

Mobile Text Address:

Email Address:

Please send me text & email messages to find me!!!

(CIRCLE ONE)

YES

NO

to play TRIVA CONTESTS during the game and to win FREE PRIZES!!!

for the latest NEWS and IMPORTANT EVENTS of the Florida Marlins

for the latest DISCOUNTS on Official Florida Marlins merchandise & team equipment!!!

the latest DISCOUNTS on last minute Florida Marlins TICKET SPECIALS to games!!!

Please don't lose contact with me! If my mobile network address changes,

please send me text & email messages to find me!!!

YES

NO

Signature:

Date: 6-20-04

Privacy Policy: The Florida Marlins maintain the privacy of their fan and not sell or share any personal information to anyone. You agree to provide the Florida Marlins with the personal information ONLY for the purposes described above.



FREE MARLINS TEAM JERSEY

WIN A MARLINS TEAM JERSEY

(GO TO SECTION 3 TO ENTER & WIN)

Name:

Address (Line 1):

Address (Line 2):

City:

State:

Zip Code:

Telephone (Home):

Telephone (Mobile):

Mobile Network:

Mobile Text Address:

Email Address:

CIRCLE ONE:

YES NO

YES NO

YES NO

YES NO

YES NO

YES NO

Signature:

Privacy Policy: The Florida Marlins maintain the privacy of their fans and will NOT disclose any personal information to anyone. You agree to provide the Florida Marlins with your most recent personal information for the purposes described above.



FREE MARLIN TEAM JERSEY

WIN A MARLIN TEAM JERSEY

(GO TO SECTION 149 TO ENTER & WIN)

Name: CANDY

Address (Line 1): [REDACTED]

Address (Line 2): [REDACTED]

City: Plantation

State: FL

Zip Code: 33313

Telephone (Home): [REDACTED]

Telephone (Mobile): 954 - [REDACTED]

Mobile Network: CINGULAR

Mobile Text Address: [REDACTED]

Email Address: [REDACTED]

to play TRIVA CONTESTS during the game and to win FREE PRIZES for the latest NEWS and IMPORTANT EVENTS of the Florida Marlins for the latest DISCOUNTS on Official Florida Marlins merchandise & team equipment!!! the latest DISCOUNTS on last minute Florida Marlins TICKET SPECIALS to games!!! Please don't lose contact with me! If my mobile network address changes, please send me text & email messages to find me!!!

YES NO YES NO YES NO YES NO YES NO

Signature: [Signature] Date: 7-10-04

Privacy Policy: The Florida Marlins website and phone will not distribute any personal information it receives. You agree to permit the Florida Marlins to use your name, phone number and address for the purposes described above.